

Description	Gallatin County Planning Board 3/11/2008		
Date	03/11/2008	Location	Planning Board
Time	Speaker	Note	
6:07:49 PM	President White	Call to Order. Members present: LeRoy Logterman, Don Seifert, C.B. Dormire, Patti Davis, Kerry White, Byron Anderson. Members absent : Gail Richardson, Marianne Amsden, Deb Robinson, Mike McKenna and Matt Flikkema. Staff present: Planning Director Greg Sullivan, Planners Tom Rogers, Sean O'Callaghan, Randy Johnson, AICP: and Recording Secretary Linsey Lindgren.	
6:08:02 PM		There was no Public Comment on any matters within the Board's jurisdiction that was not already on the agenda.	
6:08:14 PM		Approval of February 26, 2008 meeting minutes.	
6:08:28 PM	President White	Minutes stand approved as written.	
6:08:49 PM		Decision and Recommendation on Preliminary Plat Approval for the Amended Plat of Lot 26 of Northstar Commercial Phase 2 Major Subdivision.	
6:09:07 PM	Tom Rogers, Planner	Staff presentation. Handed out a memo "SUBJECT: Northstar Commercial Phase 2 Amended Plat Supplementary Materials."	
6:25:26 PM		Board questions for Planners Tom Rogers and Randy Johnson.	
6:30:55 PM	Bob Lee, Land Use Planner with Morrison and Maierle	Applicant presentation.	
6:44:16 PM		Board questions for applicant.	
6:54:29 PM	Bob Lee, Land Use Planner with Morrison and Maierle	Applicant presentation continued. Gave a handout with maps of the Northstar Commercial Subdivision Phase 2 (fire hydrant locations). Also gave a handout which can be titled "Requested language changes to conditions of approval." Board and staff clarifications to the handout titled "Requested language changes to conditions of approval."	
7:08:50 PM	Eric Blanksma, Fire Expert	Applicant presentation.	

	with Morrison and Maierle	
7:12:23 PM		Board questions for applicant and staff.
7:21:53 PM		Public Comment.
7:22:09 PM	Dennis Hengel, Gallatin County Weed Supervisor	Public Comment. Referenced materials in the memo "SUBJECT: Northstar Commercial Phase 2 Amended Plat Supplementary Materials."
7:30:33 PM		Board questions for Dennis Hengel, staff and applicants.
7:46:21 PM	Bob Lee, Land Use Planner with Morrison and Maierle	Applicant rebuttal.
7:48:58 PM		Board questions for applicants, Dennis Hengel and staff.
7:55:10 PM	Julian Morris, Applicant	Applicant presentation.
7:57:38 PM		Board questions for applicant.
8:00:08 PM	Dennis Hengel, Gallatin County Weed Supervisor	Applicant rebuttal.
8:02:01 PM		Board questions for staff.
8:03:24 PM		Board discussion. Bob Lee and Randy Johnson addressed the Board to clarify a few points.
8:17:09 PM	Patti Davis	I would like to make a motion that we approve the variances that have been presented to us.
8:17:23 PM	Byron Anderson	Second.
8:17:28 PM		Board discussion.
8:19:45 PM		Vote to recommend approval to the variance. Motion passed 5:1. C.B. Dormire opposed.

8:20:47 PM	Byron Anderson	I would like to make a motion that we approve the preliminary plat approval for Lot 26 with the amended, with the implementation or what ever the term would be of the amendments suggested for the condition 2, 3, 10, 11, 13, 16 and 20, and 20 as amended tonight; and all other recommendations in the application, staff suggestions, the application substantially complies with the Gallatin County Growth Policy, and the Montana Subdivision and Platting Act requirements of Section 76-3-608 MCA of the Montana Subdivision and Platting Act. A determination as to whether or not the application complies with the provisions of the Gallatin County Subdivision Regulations, and a determination as to whether or not to approve the requested variance.
8:23:09 PM	Patti Davis	Second.
8:23:19 PM		Vote to recommend approval to the preliminary plat application-motion passed unanimously.
8:23:41 PM		Board discussion. Findings: Granting the variance as we voted on and voted 4:1 for (Kerry White mis-quoted the number of people in the vote saying 4:1 when actually it was 5:1.) is not detrimental to public health, safety or general welfare, or injurious to other adjoining properties. That was on a weed variance.
8:26:21 PM	Tom Rogers, Planner	Advice.
8:27:23 PM		Board discussion and findings continue. There would be an undo and unnecessary hardship graded (in-auditable) by the lot specific weed management plan, and the variance will not cause additional increases in public cost, and the proposed variance will not put the subdivision in non-conformance with any adopted zoning regulations. There is no physical surrounding, topographical conditions that would cause any hardship in the adoption of the variance. Kerry White added there will propose a hardship, not there will not.
8:30:40 PM		Break
8:38:01 PM	President White	Call to order.
8:38:06 PM		Decision and Recommendation on Preliminary Plat Approval for the Amended Plat of Lot 7 of Northstar Commercial Phase 2 Major Subdivision.
8:38:28 PM	Tom Rogers, Planner	Staff presentation.

8:40:26 PM		Board questions for staff.
8:41:14 PM	Bob Lee, Land Use Planner with Morrison and Maierle	Applicant presentation.
8:42:39 PM		Board discussion with applicant.
8:43:06 PM		Public Comment.
8:43:12 PM	Dennis Hengel, Gallatin County Weed Supervisor	Public Comment.
8:43:48 PM		Board discussion.
8:44:12 PM	Don Seifert	I move that we approve the variance requested. (Findings) The granting of the variance will not be detrimental to the public health. Due to the physical surroundings, there will be no undo hardship. The variance will not cause a substantial increase in the public cost, and the variance will not place the subdivision in non-conformance with any adopted zoning regulation.
8:45:04 PM	Patti Davis	Second.
8:45:15 PM		Vote to recommend approval to the variance. Motion passed 5:1. C.B. Dormire opposed.
8:45:47 PM		Board discussion and questions for applicant.
8:53:43 PM	Don Seifert	I move that we accept the application because it substantially complies with the Growth Policy. It meets the requirements of Section 76-3-608 MCA, and it complies with the provisions of the Gallatin County Subdivision Regulations, with the following condition changes: Section # 2, Condition # 2: that there is an (s), final site plan(s). Strike Condition # 3. Condition # 10: is re-worded. First sentence to read, "All condominium units shall be built in compliance with the uniform building codes and National Fire Protection Association codes and provide fire detection, automatic sprinklers when required by those codes". Condition # 11: (Kerry White said, Strike # 10, and strike the second sentence) Don Seifert continued by asking, "strike Condition # 11?" (Kerry White said, No, strike the second sentence of condition # 10). Second sentence, second sentence, of Condition # 10. Condition # 11: strike all of Condition # 11 and replace with fire hydrant spacing meets the National Fire Protection codes. Condition # 13:

		change first sentence to read: "All units required to have fire detection and fire protection systems shall have installed a lock box to hold keys to the exterior and interior doors." Strike all of Condition # 16. Condition # 20: to read, "Prior to final plat approval of any phase of the subdivision, the subdivider shall comply with all requirements of an approved Weed Management Plan ("Plan") and Memorandum of Understanding for all noxious weed management and all on-site and off-site areas disturbed by any construction related activity."
8:56:47 PM	LeRoy Logterman	Second.
8:57:03 PM		Vote to recommend approval to the preliminary plat application-motion passed unanimously.
8:57:33 PM		Board discussion.
8:58:11 PM		Decision and Recommendation on Preliminary Plat Approval for the Amended Plat of Lot 19 of Northstar Commercial Phase 2 Major Subdivision.
8:58:29 PM	Tom Rogers, Planner	Staff presentation.
9:01:06 PM		Board question for staff.
9:01:54 PM	Bob Lee, Land Use Planner with Morrison and Maierle	Applicant presentation.
9:04:03 PM		Public Comment
9:04:15 PM	Dennis Hengel, Gallatin County Weed Supervisor	Public Comment.
9:04:49 PM		Board discussion with Dennis Hengel.
9:06:29 PM	LeRoy Logterman	I move that we vote in favor of granting the variance on the grounds that it will not be detrimental to the public health, safety, or general welfare, or be injurious to other adjoining properties. Due to the physical surroundings of the property involved, that strict compliance with the regulations will impose an undue hardship. That the variance will not cause a substantial increase in public cost. The variance will not place the subdivision in non-conformance

		with any adopted zoning regulations.
9:07:17 PM	Patti Davis	Second.
9:07:30 PM	Tom Rogers	Advice.
9:08:25 PM		Board discussion.
9:10:29 PM		More findings. Don Seifert said, the conditions of the variance have been met because the conditions we have imposed per the staff report we have set up criteria to meet the weed management issue. Kerry White said, this increases the chances that this project will be completed, which will then speed up the time in which the re-vegetation and the landscaping will be done around these buildings. I think it reduces the cost of the project to the homeowner or the builder or the property owner.
9:12:38 PM		Vote to recommend approval to the variance. Motion passed 5:1. C.B. Dormire opposed. (Kerry White mis-quoted the number of people in the vote saying 4:1 when actually it was 5:1.)
9:13:02 PM		Board discussion
9:13:32 PM	LeRoy Logterman	I move that we recommend preliminary approval of this application on the basis that the application substantially agrees with the goals and policies of the Gallatin County Growth Policy, that it substantially meets the requirements of Section 76-3-608 of the MCA of the Montana Subdivision and Platting Act, and that it is determined that the application complies with the provisions of the Gallatin County Subdivision Regulations, and that it would do so with the following conditions, referring to the suggested conditions of the Planning Staff pages 11 and following through page 13, but to Condition # 2: that there would add an (s) there to make that read "final site plan(s)". That we strike suggested Condition # 3 entirely. That we go to Condition # 10: that we re-worded the first sentence to read, "All condominium units shall be built in compliance with the Uniform Building Codes and National Fire Protection Association codes and provide fire detection, automatic fire protection sprinklers when required by these codes", And then to strike its second sentence in its entirety. Condition # 11: that we strike that entire sentence, as fire hydrant spacing meets the NFP codes. Condition # 13: that we change the first sentence to read: "All units required to have fire detection and fire protection systems shall have installed a lock box to hold keys to the exterior and interior doors." Condition #16: strike it in its entirety. Condition # 20: modify that first sentence to read as follows, "Prior to final plat approval of any phase of the subdivision, the subdivider shall comply with all requirements of an approved Weed Management Plan ("Plan") and Memorandum of Understanding for all noxious

		weed management and all on-site and off-site areas disturbed by any construction related activity."
9:17:06 PM	Don Seifert	Second.
9:17:25 PM		Vote to recommend approval to the preliminary plat application-motion passed unanimously.
9:17:58 PM		Board discussion.
9:18:51 PM		Other Business.
9:19:15 PM	C.B. Dormire	Sub-Committee updates: Wastewater and Water as well as Subdivision Regulations.
9:20:56 PM		Planning Department Update.
9:21:06 PM	Greg Sullivan, Planning Director	Gravel Pit update. Randy Johnson added Gravel Pit update as well. Board discussion. Update on Countywide Zoning. Gave a handout of the staff report dated March 4,2008 on Countywide Zoning and a memo dated March 4, 2008 on Countywide Zoning.
9:27:41 PM	Sean O'Callaghan, Planner	Summary of County Commission decisions on Countywide Zoning. Randy Johnson added clarification. Board discussion.
9:35:13 PM	President White	Adjourned.